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| 10/598,875 | 09/14/2006 | Masahiro Takechi | JP920030304US1 | 1689 |
| 30449 7590 12/04/2008 SCHMEISER, OLSEN & WATTS 22 CENTURY HILL DRIVE SUITE 302 LATHAM, NY 12110 | | | | |
| EXAMINER VAUGHAN, MICHAEL R | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/598,875

Applicant(s)

TAKEHI, MASAHIRO

Examiner

MICHAEL R. VAUGHAN

Art Unit

2431

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-31 and 50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25-31 and 50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB08)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The instant application having Application No. 10/598,875 is presented for examination by the examiner. Examiner acknowledges Applicant's election to claims 25-31 and newly added claim 50.

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been received.

Specification

The abstract of the disclosure is objected to because the references , non-patent document 1 and 2 can simply be incorporated by reference into the specification. There is no need for the use of reference linking as seen on page two of the written description. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 28, 31, and 50 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 31, the phrase "the first common user ID" renders the claim indefinite. Examiner cannot ascertain the antecedent basis for this term. It could refer back to a first common identifier or be something new. Appropriate correction is required.

As per claim 28 and 50, the scope of the claim invention is indefinite because of the uncertainty of the phrase "a data size". Examiner cannot ascertain its meaning or whether there is more than one data size because two data sizes are recited. Similarly, "a number" is defined twice.

As per claim 50, the scope of the claim is indefinite because the question is raised whether there is one rule or more than one rule. The claim says there is at least one rule, but lists four rules. How can there be as little as one rule yet four rules are listed? An argument can be made that there must be at least four rules or that it is possible that rule one contains four parts. Clarification is needed to properly define the metes and bounds of the claim. Specifically whether there is more than one rule or if one rule contains all four limitations as claimed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 25, 27, and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by USP Application Publication 2004/0210767 to Sinclair et al., hereinafter Sinclair.

As per claim 25, Sinclair teaches a method for recording server authentication information, comprising:

establishing, by a first server of a plurality of servers in a federated computing environment, a trusting relationship between the first server and a second server of the plurality of servers (0021 -0022);

after said establishing the trusting relationship, obtaining by the first server an authentication policy [security policies] of the second server, wherein an authentication policy for each server of the plurality of servers is defined as at least one rule [password policy] of each server for authenticating users of the federated computing environment (0024-0025); and

after said obtaining the authentication policy of the second server, registering by the first server the authentication policy of the second server within the first server [data is replicated into the first server from the other servers, 0024].

As per claim 27, Sinclair teaches obtaining the authentication policy of the second server comprises accessing the authentication policy of the second server from a profile table prepared by an administrator of the second server (0032). Sinclair teaches both maintaining a table and a database (0025) which holds the policies acquired from the other servers.

As per claim 29, Sinclair teaches registering the authentication policy of the second server comprises registering the authentication policy of the second server in an authentication policy table of the first server (0032), wherein the authentication policy table of the first server comprises an authentication policy of each server of the plurality of servers registered therein (0025). Sinclair teaches both maintaining a table and a database (0025) which holds the policies and password policies acquired from the other servers. The act of storing them at the first server constitutes registration.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sinclair in view of USP Application Publication 2001/0019614 to Madoukh.

As per claim 26, Sinclair teaches that the servers must first trust one another before sharing policies and resources. Sinclair teaches that the two servers could perform mutual authentication (0022). Sinclair stops just short of teaching the use establishing the trusting relationship comprises exchanging, by the first server, an electronic certificate of the first server with an electronic certificate of the second server in accordance with a Public Key Infrastructure (PKI) method. Madoukh teaches establishing the trusting relationship comprises exchanging, by the first server, an electronic certificate of the first server with an electronic certificate of the second server in accordance with a Public Key Infrastructure (PKI) method (0039). This is one example of mutual authentication that is well known in the art. Substituting known methods in similar system while yielding predictable results is within the capabilities of one of ordinary skill. Therefore the claim is obvious in view of these two references because one of ordinary skill could have easily substituted a mutual authentication by public key certificate into Sinclair system with predictable results.

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sinclair in view of USP Application Publication 2005/0114673 to Raikar et al., hereinafter Raikar.

As per claim 28, Sinclair teaches that password policies and parameters are maintained in a database (0025). However, Sinclair fails to elaborate that the parameters include a number of alphabetic characters of a user identification (ID), a number of numeric characters of the user ID, a data size for fingerprint authentication, a data size for voice print authentication, or combinations thereof. Raikar teaches using strong passwords which include a combination of a number of alphabetic characters of a user identification (ID), a number of numeric characters of the user ID (0037). Substituting known methods in similar system while yielding predictable results is within the capabilities of one of ordinary skill. Therefore the claim is obvious in view of these two references because one of ordinary skill could have easily substituted a combination of password parameters as taught by Raikar into Sinclair system with predictable results. Based on the interpretation of the claim stemming from its lack of definitiveness, Examiner finds the rule belonging to the each user ID references not the user ID itself but the password associated with the User ID.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sinclair in view of USP Application Publication 2002/0091928 to Bouchard et al., hereinafter Bouchard.

As per claim 30, Sinclair teaches storing the known other trusted servers in a table. It is inherent that the address or location to those servers is maintained as well in order to communicate with them. Sinclair fails to teach a relative priority of each server of a group of servers having a same authentication policy in the authentication policy table. Bouchard teaches a system in which multiple servers can designate priority to other servers for authentication in order to balance the load of the system (0047). Load balancing in computer networks is well known in the art. Assigning priority to servers is also well known in the art. Combining known methods in the art and yielding predictable results is within the ordinary capabilities of one of ordinary skill in the art. Therefore the claim is obvious in view of the teachings in the two references. One of ordinary skill could have maintained a priority list to balance the load of the network. If all the servers are able to perform authentication, it is obvious that they can share in those duties so that one is not overwhelmed.

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sinclair in view of USP Application Publication 2004/0107212 to Friedrich et al., hereinafter Friedrich.

As per claim 31, Sinclair fails to explicitly teach the authentication policy of the second server is identical to an authentication policy of the first server, wherein a first common identifier (ID) exists in an authentication information Lightweight Directory

Access Protocol (LDAP) of the first server and in an authentication information LDAP of the second server, wherein the first common user ID is used by a first user in the first server and by a second user in the second server such that the second user differs from the first user, and wherein the method further comprises: after said registering the authentication policy of the second server, registering by the first server the first common user ID in an exceptional ID table of the first server, wherein the exceptional ID table of the first server stores common user IDs and an indication of one or more servers associated with each common user ID stored in the exceptional ID table of the first server. In Sinclair's system, multiple servers pool together their known authentication policies including those users belonging to each server. It is not unreasonable for one of ordinary skill to consider what would happen in the same user ID existed in both groups. LDAP which is notoriously well known in the art and taught by Friedrich, handles this occurrence through home repositories which are unique to each user even if the user name is common. Friedrich addresses this situation by maintaining the home repository of each user in conjunction with a unique identifier (probably the SID or some other unique attribute to the user) (0033). This solves the problem of common user names by creating a pointer to which server or repository that user belongs to. In view of this teaching, Examiner finds that claim is obvious because one of ordinary skill could have first recognized the potential for two users having a common user name and dealt with it in the means taught by Friedrich. Examiner, having found the claim indefinite under 35 U.S.C 112, and broadly interpreting the claim, finds its limitations known in the prior art.

Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sinclair in view of USP Application Publication 2005/0114673 to Raikar et al., hereinafter Raikar and USP Application Publication 2001/0048025 to Shinn.

As per claim 50, Sinclair teaches that password policies and parameters are maintained in a database (0025). However, Sinclair fails to elaborate that the parameters include a number of alphabetic characters of a user identification (ID), a number of numeric characters of the user ID, a data size for fingerprint authentication, a data size for voice print authentication. Raikar teaches using strong passwords which include a combination of a number of alphabetic characters of a user identification (ID), a number of numeric characters of the user ID (0037). Shinn teaches the use of a biometric template used in authenticating fingerprints and voice prints (0033). Each of these teaching provides a secure means to manage a network. Specifically they teach a way to improve the security of the system by creating strict measures to enforce user authentication into the system and prevent unauthorized access. Therefore the claim is obvious in view of these three references because one of ordinary skill could have easily substituted a combination of password parameters and biometric templates as taught by Raikar and Shinn, respectively, into Sinclair system with predictable results. Based on the interpretation of the claim stemming from its lack of definitiveness, Examiner finds the rule belonging to the each user ID references not the user ID itself but the password associated with the User ID.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is listed on the enclosed PTO-892 form.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL R. VAUGHAN whose telephone number is (571)270-7316. The examiner can normally be reached on Monday - Thursday, 7:30am - 5:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. R. V./

Examiner, Art Unit 2431

/Syed Zia/

Primary Examiner, Art Unit 2431